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UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF CALIFORNIA  
SAN FRANCISCO DIVISION

UNITED STATES OF AMERICA

v.

GREGORY ALLEN WEISS,  
Defendant.

No. CR-08-0528-MHP

STIPULATION AND ~~PROPOSED~~  
ORDER MODIFYING BRIEFING  
SCHEDULE

The United States, through its counsel of record, Joseph R. Russoniello, United States Attorney, and W.S. Wilson Leung, Assistant United States Attorney, of counsel, with the counsel of the defendant, Gregory Allen Weiss, by his counsel Ann C. Moorman, Esq., respectfully submits this Stipulation and Proposed Order Modifying the Briefing schedule for pre-trial motions in the above-captioned matter. The parties agree and stipulate, and the Court finds and holds, as follows:

1. The defendant, Gregory Allen Weiss, along with his counsel, Ann C. Moorman, Esq., appeared before the Court on November 17, 2008. During this appearance, the parties proposed, and the Court adopted, the following motion schedule: the defense's motion due by

1 January 1, 2009; the Government's response due by January 21, 2009; the defense's reply due by  
2 January 26 or 27, 2009; and a hearing on February 2, 2009 at 10:00 am.

3 2. On December 30, 2008, the defendant, with the consent of the Government,  
4 requested that the filing date for his motion be extended from January 1, 2009 to January 5, 2009.  
5 On January 5, 2009, the Court granted this request, and the defendant's motion was filed on that  
6 date. The motion schedule otherwise remained unchanged.

7 3. Because of a recent change in the briefing schedule of another case, as well as  
8 developments in a third case that is scheduled for trial on February 9, 2009, the Government has  
9 two other sets of motions that must be filed on January 21, 2009. Accordingly, after conferring  
10 with Ms. Moorman and with her consent, and subject to the availability of the Court, the  
11 Government respectfully seeks a modification of the motion schedule so that it may file its  
12 response to the defendant's motion on January 29, 2009 and the defendant may file any reply by  
13 February 9, 2009. Due to the trial schedules of both parties, the parties would respectfully  
14 request a hearing date during the week of February 16, 2009, if the Court's schedule permits.

15 4. Because motions are pending, time under the Speedy Trial Act is excluded by  
16 operation of 18 U.S.C. § 3161(h)(1)(F).

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18 STIPULATED:

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20 DATED: January 16, 2009

/s/ Ann C. Moorman  
ANN C. MOORMAN, ESQ.  
Attorney for GREGORY ALLEN WEISS

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23 DATED: January 16, 2009

/s/ W.S. Wilson Leung  
W.S. WILSON LEUNG  
Assistant United States Attorney

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FOR THE REASONS SET FORTH ABOVE, IT IS ORDERED THAT

1. The Government's response to the defendant's motion is due on January 29, 2009;
2. Any reply by the defendant to the Government's response is due on February 9, 2009;
3. The defendant's motion shall be heard on February 23, 2009; and
4. Time is excluded from Speedy Trial Act calculations during the pendency of the defendant's motion.

DATED: January 20, 2009

